

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION**

Applicants: Günter FUHR, et al.

Application Serial No.: 10/532,017

Group Art Unit: 3744

Filed: April 20, 2005

Examiner: Mohammad M. Ali

Attorney Docket No.: B1180/20035

Confirmation No.: 5994

For: LOW-TEMPERATURE STORAGE OF SUSPENSION SAMPLES IN SUSPENDED
SAMPLE CHAMBERS

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated February 19, 2010, Applicants respectfully request reconsideration of this application in view of the following remarks. Claims 1-26 are pending with Claims 21-26 being withdrawn from consideration by the Examiner.

ELECTION/RESTRICTION

In response to the Applicant's election with traverse of February 4, 2010, the Examiner deemed the requirement proper and made the requirement final. Under 37 C.F.R. §1.114, Applicants will respectively defer petition to the Director to review the requirement until after final action on or allowance of the claims to the elected invention.

NON-OVIOUSNES

Claims 1-13 and 15-20 stand rejected under 35 U.S.C. §103(a) over Smollett, et al. (U.S. Patent No. 3,292,424). This rejection is respectfully traversed for at least the reasons set forth below.